

WELTMAN# 040643529

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS (EASTERN DIVISION)**

IN RE: :
Richard A Kozarits : CASE NO. 19-36181
Kimberly Kozarits :
: CHAPTER 13
: :
DEBTOR(S). : Hon. Deborah L. Thorne

**AGREED ORDER REGARDING MOTION OF CREDITOR, CITIZENS BANK, N.A.
FOR RELIEF FROM THE AUTOMATIC STAY**

Before the Court is CITIZENS BANK, N.A. (“Movant”) Motion for Relief from the Automatic Stays in effect pursuant to 11 U.S.C. § 362 and Fed. R. Bankr. P. 4001(a)(3), as to its collateral, 2017 CADILLAC XT5, Motor Vehicle Serial 1GYKNFRS0HZ170300. The Motion was properly served and noticed, and the Court has been advised in the premises. In advance of a hearing to consider Movant’s requests, the parties entered into an agreement pursuant to Fed. R. Bankr. P. 4001(d).

Based upon the parties AGREEMENT, the Court hereby deems the above-referenced stays continued on Movant’s collateral, 2017 CADILLAC XT5, Motor Vehicle Serial 1GYKNFRS0HZ170300, pending compliance with the following incorporated terms:

1. The Debtor(s) shall make all contractually required payments, directly to Movant, beginning with the payment due on September 9, 2020.
2. The Debtor(s) shall maintain continuous and uninterrupted full coverage insurance with reference to Movant’s collateral. Said insurance coverage will contain all appropriate provisions, loss pay endorsements and deductible terms as contemplated by the parties’ original loan documentation.

3. The arrearages as of August 10, 2020, are itemized as follows:

Payments due for 06/09/2020 – 08/09/2020 in the amount of \$1,505.92

Attorney's fees and costs: \$0.00

Late Charges: \$0.00

Other Charges: \$0.00

Total arrearage: \$1,505.92

4. The post-petition arrears shall be cured as follows: Debtor(s) shall pay directly to Movant the additional sum of \$250.99 per month for five (5) months and \$250.97 per month for one (1) month until the arrears in paragraph (3) are paid in full.
5. In the event the Debtor(s) fail to comply with the payment provisions contained herein, Movant shall have the right to direct written notice of the default to the Debtor(s) by ordinary U.S. mail and the Debtor's attorney by email. The notice of default will be filed with the court to track the fourteen (14) day default period. The fourteen (14) days will start once the notice is filed with the court. In the event the Debtor failed to fully cure the default within fourteen (14) days after the mailing date of the aforementioned notice, the automatic stays in effect under 11 U.S.C. §362 and Fed R. Bankr. P. 4001(a)(3) shall be deemed terminated in favor of Movant, without further notice of hearing, upon the filing by counsel for Movant of a Notice of Default.
6. In the event the Debtor(s) fails to comply with the insurance provisions contained herein, Movant shall have the right to direct written notice of the default to the Debtor by ordinary U.S. mail and to the Debtor's attorney by email. In the event the Debtor fails to fully cure the default within five (5) days after the mailing date of the aforementioned notice, the automatic stays in effect under 11 U.S.C. §362 and Fed R. Bankr. P. 4001(a)(3) shall be deemed terminated in favor of the

Movant, without further notice, order or hearing, upon the filing by counsel for Movant of a Notice of Default.

Unless otherwise stated expressly herein, all notices and/or affidavits of default shall be mailed to the Debtors. The Debtors' attorney shall be notified by ordinary mail or by email. Each party shall be responsible for notifying the other.

SO AGREED AND ORDERED.

/s/ Monette W. Cope

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Richard A Kozarits and Kimberly Kozarits

August 25, 2020

Date



Judge Deborah L. Thorne